

[From Los Angeles Times Dec. 29, 2008]  
A SPEEDING TRUCK BOMB, AND A SHARED ACT  
OF COURAGE

(By Tony Perry)

SAN DIEGO.—Two Marines in Iraq saved dozens—but not themselves. They'll be awarded the Navy Cross. They had known each other only a few minutes, but they will be linked forever in what Marine brass say is one of the most extraordinary acts of courage and sacrifice in the Iraq war.

Cpl. Jonathan Yale, 21, grew up poor in rural Virginia. He had joined the Marine Corps to put structure in his life and to help support his mother and sister. He was within a few days of heading home.

Lance Cpl. Jordan Haerter, 19, was from a comfortably middle-class suburb on Long Island. As a boy, he had worn military garb, and he had felt the pull of adventure and patriotism. He had just arrived in Iraq.

On April 22, the two were assigned to guard the main gate to Joint Security Station Nasser in Ramadi, the capital of Anbar province, once an insurgent stronghold and still a dangerous region. Dozens of Marines and Iraqi police lived at the compound, and some were still sleeping after all-night patrols when Yale and Haerter reported for duty that warm, sultry morning.

Yale, respected for his quiet, efficient manner, was assigned to show Haerter how to take over his duties.

Haerter had volunteered to watch the main gate, even though it was considered the most hazardous of the compound's three guard stations because it could be approached from a busy thoroughfare.

The sun had barely risen when the two sentries spotted a 20-foot-long truck headed toward the gate, weaving with increasing speed through the concrete barriers. Two Iraqi police officers assigned to the gate ran for their lives.

So did several Iraqi police on the adjacent street.

Yale and Haerter tried to wave off the truck, but it kept coming. They opened fire, Yale with a machine gun, Haerter with an M-16. Their bullets peppered the radiator and windshield. The truck slowed but kept rolling.

A few dozen feet from the gate, the truck exploded. Investigators found that it was loaded with 2,000 pounds of explosives and that its driver, his hand on a "dead-man switch," was determined to commit suicide and slaughter Marines and Iraqi police.

The thunderous explosion rocked much of Ramadi, interrupting the morning call to prayers from the many mosques. A nearby mosque and a home were flattened. The blast ripped a crater 5 feet deep and 20 feet across into the street. Shards of concrete scattered everywhere, and choking dust filled the air.

Haerter was dead; Yale was dying. Three Marines about 300 feet away were injured. So were eight Iraqi police and two dozen civilians. But several dozen other nearby Marines and Iraqi police, while shaken, were unhurt. A Black Hawk helicopter was summoned in a futile attempt to get Yale to a field hospital in time. A sheet was placed over Haerter.

When it was considered safe to take Haerter's body to a second helicopter, his section leader insisted he be covered by an American flag. "We did not want him carried out with just a sheet," said Staff Sgt. Kenneth Grooms.

Maj. Gen. John Kelly, the top Marine in Iraq, wanted to know how the attack happened. Like many veteran Marines, he is haunted by the memory of the 1983 bombing of the barracks in Beirut, when a blast from an explosives-laden truck killed 241 U.S. service personnel, including 220 Marines.

Not given to dark thoughts or insecurities, Kelly, who commanded Marines in the fight

for Baghdad and Tikrit in 2003 and Fallouja in 2004, admits that the specter of another Beirut gives him nightmares as he commands the 22,000 Marines in Iraq. He went to Ramadi to interview Iraqi witnesses—a task generals usually delegate to subordinates. Some Iraqis told him they were incredulous that the two Marines had not fled. When Marine technicians restored a damaged security camera, the images were undeniable.

While Iraqi police fled, Haerter and Yale had never flinched and never stopped firing as the Mercedes truck—the same model used in the Beirut bombing—sped directly toward them.

Without their steadfastness, the truck would probably have penetrated the compound before it exploded, and 50 or more Marines and Iraqis would have been killed. The incident happened in just six seconds.

"No time to talk it over; no time to call the lieutenant; no time to think about their own lives or even the American and Iraqi lives they were protecting," Kelly said. "More than enough time, however, to do their duty. They never hesitated or tried to escape."

Yale was always trying to boost the morale of his buddies, said Lance Cpl. Brandon Creely, 21, of Boise, Idaho. "Whenever I was down, he'd tell a joke, tell me it's not as bad as it seems."

Staff Sgt. Grooms, 28, said he knows how Haerter should be remembered. "He was a hero," Grooms said, "and a damn fine person."

STATEMENT OF MAJOR GENERAL JOHN F. KELLY, USMC—IN SUPPORT OF THE NAVY CROSS RECOMMENDATIONS IN THE CASES OF CORPORAL JONATHAN T. YALE, USMC AND LANCE CORPORAL JORDAN C. HAERTER, USMC

The following statement is a compilation of events from my personal interview of several Iraqi police men, view for a video tape of the entire event capture by the Joint Security Station's (JSS) security camera, and walking the site.

At 0745C on 22 April 2008, Joint Security Station, JSS, Nasser, Ramadi, Iraq, was attacked by a very large truck bomb with an estimate explosive weight over 2,000 lbs. The truck was driven by a suicide bomber who was consumed in the blast. At the time two battalions, 1st Battalion 9th Marines and 2 Battalion 8th Marines were conducting a relief in place at JSS Nasser. The JSS by its nature who housed a relatively large number of Iraqi police. At the time of the attack two Marines, Corporal Jonathan T. Yale and Lance Corporal Jordan C. Haerter were standing post at the entry control point (ECP—along with two Iraqi policemen. At least 8 other Iraqi policemen were also on duty about 60m away at the intersection (Routes Apple and Sophia) of a busy city street, and the entrance alley to the JSS in the Sophia District of Ramadi.

Without warning a Mercedes tank truck made the turn and immediately accelerated negotiating the serpentine careening towards the entryway of the JSS compound. The Marines undoubtedly understood immediately what was taking place as they went straight to the guns without any escalation of force firing continuously until the truck lurched to a stop just outside the compound's gate, and literally a few feet from the Marines, when it detonated. Both Marines were killed still firing their weapons. Three Marines were also wounded over 100m from the event, as were at least eight Iraqi officers and 24 civilians. A nearby mosque and house were both destroyed, with a number of others houses suffering significant

damage. The blast crater measured 20 feet in diameter and five feet deep. At the time of the attack, and because of the ongoing relief in place, there were over 50 Marines on site with a similar number of Iraqi police officers. It was only due to the bravery of the two Marines that a catastrophe was averted, but that is exactly why they were there to prevent such a bomb from entering the compound and they did exactly that.

When interviewing several police officers separately on 25 April at the JSS they all told essentially the same story. When the truck turned down the entryway to the JSS the tip off that it was not an innocent delivery was that it accelerated through the concrete Jersey walls. The Marines on station immediately began to fire then some of the police joined in. One of the officers made the point that no sane man would have stood there and fired—yet two men did. Another said he knew the Marines were crazy (he meant fearless I think), but this was beyond what he'd seen Marines do even when he was fighting us as an insurgent two years before. A third who was no more than 15 feet from the two Marines when the truck turned into the alley ran to safety in the few seconds it took the truck to negotiate the 60 m to the gate (caught on tape). He survived. He told me when he observed the truck accelerating and the Marines firing he ran but the Marines did not. All were in agreement that had the Marines not stood their ground to their deaths the truck would have wiped out the JSS and everyone in it.

Subsequent to my taking these interviews I viewed a video of the entire event captured by our surveillance camera at the entryway of the JSS. It took several days to forensically recover the images from the badly damaged camera. I did not know either one of the hero's, but I have known thousands like them in my career. They will do anything we ask them to do—even to their deaths. Like the police officers they could have run and likely survived, but did not. I do not think anyone would have called them cowards if they had. They took seriously the duties and responsibilities of a Marine on post, and stood their ground before they would allow anyone or anything to pass. For their dedication they lost their lives. Because they did what they did only 2 families had their hearts broken on 22 April, rather than as many as 50. These families will never know how truly close they came to a knock on the door that night.

JOHN F. KELLY,  
Major General, U.S. Marine Corps  
Commanding General, I Marine Expeditionary  
Force (Forward).

#### HERE WE GO AGAIN: THE SECOND HALF OF THE BANK BAILOUT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise this evening to warn America that here we go again. Wall Street, the Bush administration, the chief executor of Goldman Sachs Hank Paulson, who in his spare time sells U.S. debt to China and Saudi Arabia as our Treasury Secretary, are asking to get their hands on the second half of the \$700 billion bank bailout.

Last fall the administration and Wall Street's chief cheerleader Treasury Secretary Paulson scared Congress into adopting the first round of Wall Street

bailout money. They called it the TARP. Some people would call it the "TRAP." That was adopted without hearings, without debate or amendments, and without proper justification, safeguards, or oversight. Fortunately, the Secretary of Treasury abandoned the intended purchase of troubled assets and has used the money instead to purchase capital in banks; so banks are buying banks now. But that funding should have gone to the Federal Deposit Insurance Corporation to purchase the capital rather than Treasury. He didn't use the money to do anything about the central part of the problem: mortgage workouts, the foreclosure crisis.

So why do we now have a proposal here to give the Secretary of Treasury another \$350 billion to spend on only God knows what? The bill says that \$40 to \$100 billion, and that's a \$60 billion spread, my friends, is intended for some kind of foreclosure relief but doesn't specify how it's to be accomplished. Congress's job is to specify. Is a \$60 billion swing between those two numbers the best we can do in estimating the cost of this program? What is the remaining \$250 billion to \$310 billion to be used for? Who decides? Just Treasury? If we are going to continue putting capital into financial institutions, shouldn't we at least order the Securities and Exchange Commission to stop destroying capital through market value accounting? What an opportunity for the special interests on Wall Street to take control when no one here seems to be in control, 6 days before our new President is sworn in.

Today, trying to correct the huge inadequacies of this bill, I went to the Rules Committee to prevent more damage and outright financial crimes associated with this, and I asked for two amendments, and both were denied.

The first amendment would have suspended any more money being expended from the first \$350 billion, if there's any left, and would stop the next \$350 billion until the Congressional Oversight Panel established in the original law has forensically accounted for each dollar of the original \$350 billion. Why not examine the effects of the first \$350 billion on the economy? Why not assess the effect of what the Federal Reserve policies in lowering their interest rates has been on our economy? That amendment, to follow the money, was denied. Now, here you have an agency that's selling trillions of dollars of our debt, and they're not telling Congress what they have done with \$350 billion?

The other amendment that I offered would have increased oversight and strengthened the role of the Federal Deposit Insurance Corporation overseeing TARP funds. It would have provided for oversight by the FDIC directly into the boardrooms of the banks that are getting our taxpayer money. Don't we have a right to know what they're doing with it? The FDIC is the right agency to oversee that.

So the Rules Committee denied me. I wasn't expecting they would approve it because this seems like a greased deal to me, but it shouldn't be a greased deal for the American people. Before we send another \$350 billion out of the door, there ought to be some accountability here.

The legislation that will be before us provides no plan to stop foreclosures, which is the root of the problem. In fact, there is nothing in there about renegotiation or holding the banks and the servicers accountable. The bill continues to do more of the same, which simply has not been working, but it gives all this power to Treasury, this secretive agency that isn't sharing anything.

The legislation does not help homeowners to defend themselves against criminal acts of massive fraud being perpetrated against them by Wall Street bankers in processing foreclosures.

The legislation continues to shift both the risk and the cost of the program off corporations and their boards of directors and their executives who perpetrated this scheme on the taxpayers. And the legislation does not address the root of the problem: foreclosures themselves. So it will be just as ineffective on Main Street as the first round of TARP in addressing the core problems.

Truly TARP is a trap.

Mr. Speaker, I would like to place in the RECORD additional comments about the impact, sadly, of the original bailout bill on my district and end with saying the intent of TARP was to stabilize our financial system, which means our housing industry. It's not happening, and we shouldn't give them more money.

#### RECOMMENDATIONS

This bill is not correcting the root of the problem and will not achieve the goal of preventing foreclosures and keeping people in their homes. There are many effective foreclosure prevention strategies being deployed by attorneys and advocates and we need to translate these into systemic solutions.

This Congress must embark upon a full investigation of how the "Shadow Banking Sector" created by the Wall Street Investment Banks post-repeal of the Glass-Steagall Act (Gramm-Leach-Bliley) constructed a private money-creation system that in 10 short years equals or exceeds the assets of all regulated banks nationwide.

In short, there are solutions. We need a consumer-centric model. What we have now is so creditor-centric it will eventually lead to a complete collapse because consumers/taxpayers cannot handle the burden.

#### OHIO'S NINTH CONGRESSIONAL DISTRICT

My district has been hard hit by the foreclosure crisis. Last year, in my home county of Lucas, another 4,100 homes were foreclosed, part of the 10 percent of my district's local housing stock that has been lost over the last 2.5 years. As foreclosure rates continue to rise in Ohio and across our Nation, it's pretty obvious that the Federal responses, such as the \$700 billion Troubled Asset Relief Program (TARP) rescue, are not working on the Main Streets of our communities.

The intent of the TARP bailout was to help stabilize our financial system, which includes in large measure our housing industry. Yet, we see financial institutions foreclosing on families rather than working to stabilize families in their homes. A stable home permits people to focus on obtaining and maintaining employment, purchasing food, and contributing to society in positive ways rather than relying on social services funded by State and Federal dollars. Furthermore, we see communities falling apart. Community members and local banks are effectively locked out of the opportunity to bid on these properties and reinvest in themselves because monies from the Department of Housing and Urban Development which would allow community banks and members to purchase foreclosed homes have not yet arrived. We all know that you are more likely to do something for your neighbor than for someone you do not know across the country. Too often, Wall Street's actions engage out of town developers and investors who purchase homes anywhere they can, not just in their hometown—without any connection to the people and the community. This situation cannot continue.

We have the opportunity to direct positive change to restore our Main Streets and communities.

#### WINSTON-SALEM DASH—WINSTON-SALEM'S NEW MINOR LEAGUE BASEBALL TEAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. Foxx) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I suspect that every Member of this body would stand up here at some point and say that he or she lives in the best place in the United States or has the best district. I know that I have the best district in North Carolina, the Fifth District. It is a very diverse district, populated by many great people. The district has many, many attributes that people come to visit us for and come to live in the district.

But I want to highlight tonight one of the very positive things that's happening in my district this year and to call attention to that because so often we're talking about negative things on the floor. It's not the best of times economically in our country. But I think we need to talk some about positive things that are happening, and I want to talk tonight a little bit about a very positive thing that's happening in Winston-Salem, North Carolina.

Winston-Salem, and it's two towns that came together many years ago, those two towns were settled in the mid 1700s by a group of very devout, hardworking Moravians, and many of their descendants still live in the area.

What Winston-Salem has decided to do in the last couple of years is to work on building a new stadium, a new ballpark, for its minor league baseball team and also has been working on coming up with a new name for that minor league baseball team. Later this year we expect to see a new ballpark in downtown Winston-Salem, which will